

## § 165.T13-137

flashing light, or other means, the operator of a vessel must proceed as directed.

(d) *Notice of enforcement or suspension of enforcement of security zone(s).* The COTP San Francisco Bay will cause notification of enforcement of the security zone(s) to be made by issuing a Local Notice to Mariners and a Broadcast Notice to Mariners to inform the affected segments of the public. During periods that the security zone(s) are being enforced, Coast Guard patrol personnel will notify mariners to keep out of the security zone(s) as they approach the area. In addition, Coast Guard Sector San Francisco Bay maintains a telephone line that is maintained 24 hours a day, 7 days a week. The public can contact Sector San Francisco Bay at (415) 399-3530 to obtain information concerning enforcement of this rule. When the security zone(s) are no longer needed, the COTP will cease enforcement of the security zone(s) and issue a Broadcast Notice to Mariners to notify the public. Upon notice of suspension of enforcement, all persons and vessels are granted general permissions to enter, move within and exit the security zone(s).

[COTP San Francisco Bay 04-007, 70 FR 3301, Jan. 24, 2005]

### THIRTEENTH COAST GUARD DISTRICT

## § 165.T13-137 Safety Zone; North Jetty, named the Barview Jetty, Tillamook Bay, OR.

(a) *Location.* The following area is a safety zone: All waters within a 250 feet radius of the north jetty, named the Barview Jetty, near Tillamook Bay, Oregon starting at latitude 45°34'12" N, longitude 123°57'31" W; thence heading offshore to latitude 45°34'12" N, longitude 123°57'58" W; thence across the tip of the jetty to latitude 45°34'17.5" N, longitude 123°57'58" W; thence back inland to latitude 45° 34' 15" N, longitude 123°57'31" W.

(b) *Regulations.* In accordance with the general regulations in §165.23, no person may enter or remain in the safety zone created in paragraph (a) of this section or bring, cause to be brought, or allow to remain in the safety zone created in paragraph (a) of this section any vehicle, vessel or object unless au-

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thorized by the Captain of the Port or his designated representative.

(c) *Enforcement.* The safety zone will be enforced daily June 15, 2010 through September 31, 2010 between the hours of 5:30 a.m. and 7:30 p.m.

(1) The Captain of the Port, Sector Portland, will notify the public of the enforcement and suspension of enforcement of the safety zone established by this section via any means that will provide as much notice as possible to the public. These means might include some or all of those listed in 33 CFR 165.7(a). The primary method of notification, however, will be through Broadcast Notice to Mariners and local Notice to Mariners.

(d) *Effective period.* The safety zone created in paragraph (a) of this section will be in effect from 12:01 a.m. June 15, 2010 until 11:59 p.m. September 30, 2010 while work is being conducted on the jetty.

EFFECTIVE DATE NOTE: By USCG-2010-0214, 75 FR 35972, June 24, 2010, temporary §165.T13-137 was added, effective from June 24, 2010 until 11:59 p.m. on Sept. 30, 2010.

## § 165.T13-149 Safety Zone; McNary-John Day Transmission Line Project, Columbia River, Hermiston, OR.

(a) *Location:* The following is a safety zone: All waters of the Columbia River between two lines with the first line starting at the north bank at 45° 56' 16.5" N/119° 19' 24" W then across the river to the south bank at 45° 55' 47" N/119° 19' 07" W and the second line starting at the north bank at 45° 56' 05" N/119° 19' 48" W and then across the river to the south bank at 45° 55' 44" N/119° 19' 38" W. Geographically this location is from the West bridge of I-82 east approximately 1200 feet toward the McNary Dam.

(b) *Regulations.* In accordance with the general regulations in 33 CFR Part 165, Subpart C, no person may enter or remain in the safety zone created in this section or bring, cause to be brought, or allow to remain in the safety zone created in this section any vehicle, vessel, or object unless authorized by the Captain of the Port or his designated representative. Designated representatives are Coast Guard personnel authorized by the Captain of the

Port to grant persons or vessels permission to enter or remain in the safety zone created by this section. *See* 33 CFR part 165, subpart C, for additional information and requirements.

(c) *Enforcement period.* The safety zone created in this section will be in effect from 10 a.m. on June 10, 2010 through 11:59 p.m. on October 31, 2011.

EFFECTIVE DATE NOTE: By USCG-2010-0504, 75 FR 33999, June 16, 2010, temporary § 165.113-149 was added, effective from June 16, 2010 until 11:59 p.m. on Oct. 31, 2010.

**§ 165.1301 Puget Sound and Adjacent Waters in Northwestern Washington—Regulated Navigation Area.**

The following is a regulated navigation area—All of the following northwestern Washington waters under the jurisdiction of the Captain of the Port, Puget Sound: Puget Sound, Hood Canal, Possession Sound, Elliott Bay, Commencement Bay, the San Juan Archipelago, Rosario Strait, Guemes Channel, Bellingham Bay, U.S. waters of the Strait of the Strait of Juan de Fuca, Haro Strait, Boundary Pass, and Georgia Strait, and all lesser bays and harbors adjacent to the above.

(a) Definitions as used in this section:

(1) *Vessels engaged in fishing* are as identified in the definition found in Rule 3 of the International Regulations for Prevention of Collisions at Sea, 1972, (72 COLREGS), found in appendix A, part 81 of this chapter.

(2) *Hazardous levels of vessel traffic congestion* are as defined at the time by Puget Sound Vessel Traffic Service.

(b) Nothing in this section shall be construed as relieving any party from their responsibility to comply with applicable rules set forth in the 72 COLREGS.

(c) General Regulations: The provisions of this paragraph apply at all times.

(1) Vessels engaged in fishing or other operations—that are distinct from vessels following a TSS or a connecting precautionary area east of New Dungeness and which are not required by the Bridge to Bridge Radiotelephone Regulations to maintain a listening watch, are highly encouraged to maintain a listening watch on the Puget Sound Vessel Traffic Service (PSVTS)

VHF-FM radio frequency for the area in which the vessel is operating. A safe alternative to the radio listening watch is to stay clear of the TSS and connecting precautionary area.

(2) Vessels engaged in gill net fishing at any time between sunset and sunrise in any of the waters defining the regulated navigation area of this section shall, in addition to the navigation lights and shapes required by Part 81 of this title (72 COLREGS), display at the end of the net most distant from the vessel on all-round (32-point) white light visible for a minimum of two nautical miles and displayed from at least three feet above the surface of the water.

(3) Vessels engaged in fishing, including gillnet and purse seine fishing, are prohibited in the following Prohibited Fishing Area: The Hood Canal Bridge, to include the waters within a one-half nautical mile radius of the center of the main ship channel draw span during the immediate approach and transit of the draw by public vessels of the United States.

(4) East of New Dungeness, vessels engaged in fishing in a traffic lane or connecting precautionary area shall tend nets or other gear placed in the water so as to facilitate the movement of the vessel or gear from the traffic lane or precautionary area upon the approach of a vessel following the TSS.

(d) Congested Regulations: The provisions under this paragraph apply only when imposed in specific locations by Puget Sound Vessel Traffic Service. They are intended to enhance vessel traffic safety during periods and in locations where hazardous levels of vessel traffic congestion are deemed to exist by Puget Sound Vessel Traffic Service. Operations potentially creating vessel traffic congestion include, but are not limited to, vessels engaged in fishing, including gillnet or purse seine, recreational fishing derbies, regattas, or permitted marine events.

(1) Vessels engaged in fishing or other operations—that are distinct from vessels following a Traffic Separation Scheme (TSS) or a connecting precautionary area east of New Dungeness, may not remain in, nor their gear remain in, a traffic lane or a connecting precautionary area east of New